

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

APPLICANT(s): Janne Uusilehto CONF. NO.: 9703
SERIAL NO.: 09/942,382 ART UNIT: 3692
FILING DATE: 08/29/2001 EXAMINER: Milef, Elda G.
TITLE: METHOD FOR LOADING MONEY, AN ELECTRONIC DEVICE,
AND A SYSTEM
ATTORNEY
DOCKET NO.: 460-010523-US (PAR)

Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
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APPELLANT'S REPLY BRIEF

This is in response to the Examiner's Answer mailed on July 17, 2007.

ARGUMENT

On page 4, lines 6-11 of the Examiner's, the Examiner argues that Ferreira discloses examining whether the inquiry message transmitted by the money loading means can be received by the money depositing means. The Examiner cites to column 7, lines 16-57 and column 3 of Ferreira in support of this statement. However, column 7, lines 16-57 and column 3 of Ferreira merely refers to "messages", "authenticated messages", "reload request messages" and "received messages". There is absolutely no disclosure in Ferriera that any of these messages are "inquiry messages" as recited in Appellant's claim 1. In particular the "inquiry message" of Appellant's claim 1 is:

transmitted at intervals by the money loading means and received by the money depositing means; and

receipt of the of the inquiry message at the money depositing means causes automatic loading of money if a loading condition is fulfilled.

There is nothing in Ferreira that discloses or suggests that the "messages", "authenticated messages", "reload request messages" or "received messages" have the characteristics that define the "inquiry message" of claim 1.

The Examiner also states at page 5, lines 18-19 that it is obvious that the signals taught by Kawan are in fact inquiry messages while relying on column 4, lines 50-60 and column 5 of Kawan in support of this statement. However, Kawan only discloses signals sent after the user initiates a transaction. This is clear from column 5, lines 14-18 of Kawan which recites that the user may determine the user's current account balance and/or request that value be added to the card. In executing these requests, the terminal of Kawan exchanges encoded information by wireless transmission with a financial network. There is nothing in Kawan that discloses or suggests that the "signals" are "inquiry messages" that are transmitted at intervals by the money loading means and received by the money depositing means and receipt of the of the inquiry

message at the money depositing means causes automatic loading of money if a loading condition is fulfilled as recited in Appellant's claim 1.

It is also noted that Examiner's reliance on Kawan as disclosing the "inquiry message" would infer that Ferreira in fact does not disclose an "inquiry message" as recited in Appellant's claim 1.

The Examiner's statement that "it would have been obvious to one skilled in the art at the time the invention was made to modify Ferreira to include that the wireless terminal transmits signals which include data relating to potential transactions i.e., checking account balances, as was taught by Kawan in order to inquire about account balances before electronic money can be added (reloaded) onto the smart card" is not supported by Ferreira and Kawan. As noted above neither Ferreira and Kawan disclose an "inquiry message" as defined in Appellant's claim 1. Moreover, Ferreira does not relate to messages being transmitted from a "money loading means" to a "money depositing means". Ferreira relates to data being exchanged between a terminal and a financial institution. In order to apply the signals transmitted in Kawan to Ferreira to arrive at what is claimed by Appellant the nature of the data exchange or signal in Kawan would have to be changed significantly as the signals in Kawan are user initiated signals sent from the terminal to the financial institution as described above. The context of the signals in Kawan (i.e. signals that are sent from a terminal to a financial institution regarding a transaction initiated by the user) would also have to be significantly changed in order to arrive at what is claimed by Appellant. Again, Appellant's claim 1 recites inquiry messages being transmitted from a money loading means to a money depositing means. The inquiry messages of Appellant's claim 1 are transmitted at intervals by the money loading means and received by the money depositing means and when received by the money depositing means causes automatic loading of money if a loading condition is fulfilled.

Thus, the combination of Kawan with Ferreira is not a simple substitution of one element for another or the mere application of a known technique to Ferreira because neither of

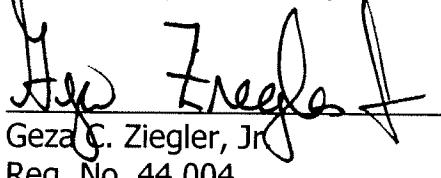
these cited reference disclose an "inquiry message" as defined in Appellant's claim 1 and because of the significant changes required to the signal of Kawan as noted above.

The above arguments apply equally to claims 9 and 14.

For all the foregoing reasons, it is respectfully submitted that all of the claims now presented in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicant's attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this communication or credit any overpayment to Deposit Account No. 16-1350.

Respectfully submitted,


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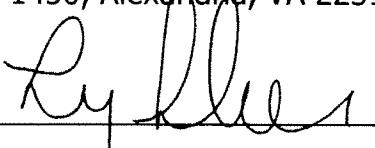
13 September 2007
Date

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